

**MINUTES OF MEETING  
ARBOR GREENE  
COMMUNITY DEVELOPMENT DISTRICT**

The regular meeting of the Board of Supervisors of the Arbor Greene Community Development District was held on Monday, September 21, 2009 at 6:30 p.m. in the Gathering Room, Arbor Greene Community Center, 18000 Arbor Greene Drive, Tampa, Florida.

Present and constituting a quorum were:

John P. Brickley	Chairman
Christine Nelson	Co-Vice Chairperson
Michael Lozicki	Co-Vice Chairman
Adam Tanenbaum	Assistant Secretary

Also present were:

John Ricciardi	District Manager
Harve Turner	General Manager

*The following is a summary of the minutes and actions taken at the September 21, 2009 Arbor Greene Board of Supervisors meeting.*

**FIRST ORDER OF BUSINESS**

**Roll Call**

Mr. Brickley called the meeting to order and the Supervisors identified themselves at roll call.

**SECOND ORDER OF BUSINESS**

**Approval of the Minutes of the August 24, 2009 Meeting**

Mr. Brickley stated each Board member received a copy of the minutes of the August 24, 2009 meeting and requested any additions, corrections or deletions.

Corrections to the fourth motion box on page 4 were requested and will be made part of the final public record.

On MOTION by Ms. Nelson seconded by Mr. Tanenbaum with all in favor the minutes of the August 24, 2009 meeting were approved as amended.
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**THIRD ORDER OF BUSINESS**

**Approval of the August 31, 2009  
Financial Statements**

Mr. Brickley reported on the September 17, 2009 Budget Workshop noting the following:

- Revenue was at 99.7%, expenses at 86.3% and the assessment income was at 100%.
- The tennis court reserve and the issue of unexpended dollars in that account, approximately \$18,000, was discussed.
- The mediation settlement was also discussed. It was re-confirmed that the money we saw in the budget we looked at reflects only the interest payments. The principal will be reflected in the balance sheet at the end of the year and separately in the audit.
- The financial statements for the end of August, 2009 were recommended for approval.

On MOTION by Mr. Lozicki seconded by Ms. Nelson with all in favor the financial statements as of August 31, 2009 were approved.

**NINTH ORDER OF BUSINESS**

**Audience Comments**

Mr. Srinivasa Malireddy of Parkview expressed his concern over damage to his property. He noted that he was not notified before work was to be done on his property. He received a letter from the CDD after the work was done. His lawn was damaged, it has been two months since the damage and it has not been repaired. Trees were also cut down while they were blooming.

Photos of the damaged lawn showing track marks were presented to the Board.

Mr. Brickley recommended waiting to see if the grass will grow back after the rainy season.

Mr. Turner reported on what typically happens to the lawn where other easement work has been done.

Consensus of the Board was to work with the property owner on repairing the damaged lawn tracks and similar future issues will be reviewed on a case by case basis.

On MOTION by Mr. Brickley seconded by Ms. Nelson with all in favor the purchase of sod to be installed in the damaged lawn tracks in the easement area of Mr. Malireddy's property at a cost of not to exceed \$300 was approved.

Ms. Jane Meeriano requested permission to bring her disabled child in to the weight room. She is willing to sign a waiver or she can leave her child in the hallway where she can see him through the glass partition. Her child is in a wheelchair.

The consensus of the Board was to let her bring her child in to the weight room on a trial basis and also require Ms. Meeriano to sign a waiver.

Ms. Carina Wells would like to teach Zumba at the clubhouse.

It was recommended to advertise a test class. Additional information on the class description is included in the General Manager's Report.

On MOTION by Mr. Brickley seconded by Ms. Nelson with all in favor authorizing Ms. Wells to conduct Zumba classes on a test basis through December 31, 2009 pending the outcome of the free demonstration was approved.

A free demonstration class will take place within the next 30 days and feedback will be gathered from that demonstration.

Ms. Julia Rogers of Devonshire requested to use the Gathering Room for Mahjong from 1 to 5 P.M. on Fridays. The game would be open to all residents of Arbor Greene.

The consensus of the Board was to approve this request.

Mr. and Mrs. Diehl of Devonshire whose property parallels Cross Creek previously requested plantings to replace dead plantings due to the dry weather and the plantings were accomplished. Consideration of installing a berm or a fence around that area was requested.

Mr. Brickley explained the area discussed by Mr. and Mrs. Diehl will be discussed during the General Manager's Report.

Mr. Jovan Peterson and Mr. Bobby Choice of Carriage Homes proposed conducting a Martial Arts program for Tae Kwon Do.

This request was deferred to the October meeting when more information will be available for Board presentation.

Ms. Julia Lamb presented a proposal to the Board for a year round swimming program. Ms. Lamb will work with Mr. Turner and will bring a revised proposal to the October meeting to include a schedule and fee structure.

**FOURTH ORDER OF BUSINESS**

**District Manager's Report**

Mr. Ricciardi reported on an article from the October 5<sup>th</sup> Forbes Magazine regarding Community Development Districts and defaults on bonds, which is not an Arbor Greene issue.

An update on pool closures and tennis court closures due to lightning was discussed. The Board previously inquired what procedures other communities follow. Other CDD's were contacted and it was found that the others closed the decks when there is thunder and/or lightning for 30 minutes after, or at least 20 minutes. Two of the CDD's contacted have detectors and they indicated the detectors are not trustworthy. None of the CDD's contacted have a closure procedure due to lightning in place for their tennis courts.

Mr. Tanenbaum expressed his opinion that if special closure considerations are in place for the pool, the same considerations should be in place for the tennis courts.

A lengthy discussion on the lightning issue ensued.

On MOTION by Mr. Brickley seconded by Mr. Tanenbaum with all in favor a 30 minute warning period to clear the pool and tennis courts when thunder or lightning is heard or seen was approved.

Mr. Turner indicated the club attendant will be enforcing the above rule.

The term "clearing" was defined as clearing the courts and clearing the pool, not locking the pool gates; lightning warning signs will be put up.

**FIFTH ORDER OF BUSINESS**

**Attorney's Report**

There not being any, the next item followed.

**SIXTH ORDER OF BUSINESS**

**Engineer's Report**

There not being any, the next item followed.

**SEVENTH ORDER OF BUSINESS**

**General Manager's Report**

The following items were reported on:

- The Enclave Gate Repair.

A spread sheet including three proposals was prepared by Mr. Turner and presented to the Board. The spread sheet was reviewed by the Board. Mr. Turner recommended Royce to complete the gate repair work.

On MOTION by Ms Nelson seconded by Mr. Tanenbaum with all in favor repair of the Enclave gate at a cost not to exceed \$8,400 was approved.

- The Estuary Gate Telephone repairs.

A spread sheet including three proposals was discussed.

On MOTION by Ms. Nelson seconded by Mr. Lozicki with all in favor the proposal from Accurate for repair of the Estuary Gate at a cost of not to exceed \$6,000 was approved.

- A letter received from the HOA regarding no parking was discussed. The HOA has requested that the CDD put up no parking signs. Board consensus was not to put up any signs, as requested by the HOA.
- A letter received from SWFWMD, dated September 17, 2009 was discussed.

The following items on the General Manager's Report dated September 16, 2009 were discussed.

- Resident request to advertise Personal Fitness Training on the Arbor Greene website.  
Board consensus, with the exception of Mr. Tanenbaum, was to approve going forward with the request.
- Landscaping on Cross Creek berm.  
This item was deferred to the next meeting.
- Termination of commercial pool contract to clean pools. Mr. Turner recommended the contract with Positive Pool.

On MOTION by Mr. Brickley seconded by Mr. Tanenbaum with all in favor the proposal from Positive Pool in the amount of \$13,500 for pool cleaning was accepted.

- Resident request to post No Trespassing Sign near retaining wall.  
It was concluded that this is an HOA issue.
- Devcon Security Monitoring Services contract renewal.

On MOTION by Mr. Lozicki seconded by Ms. Nelson with all in favor the renewal of the current contract with Devcon Security Monitoring Services at the annual cost of \$257.04, automatically renewable for a 5 year period was approved.

- Extending the current landscape maintenance contract.

On MOTION by Mr. Tanenbaum seconded by Mr. Lozicki with all in favor extending the landscape maintenance contract with Greenview Landscaping, Inc. per the unexecuted contract amendment included as enclosure #8 of the General Manager's Report was approved.

*A copy of the amended Greenview Landscape, Inc. contract is attached hereto and made part of the public record.*

Ms. Nelson asked Mr. Turner to check the parks for mulch.

*The record will reflect Ms. Nelson left the meeting.*

- Unlawful trespass in conservation area.

The District's Attorney sent a letter to a resident who was clearing vegetation from the conservation area behind his home. Mr. Turner also sent a similar letter to two other residents in the same area who also did some clearing adjacent to the conservation area. The residents were notified to cease and desist these actions.

Mr. Turner will confirm the damage and what is needed to alleviate the problem with the District Engineer and will work with the resident.

- Guard post orders, vendor access at night, Sundays and holidays.

Mr. Turner recommended no vendor access on holidays, Sundays and not between the hours of 7 P.M. and 7 A.M. and the Board concurred.

- o Community business expo. ~~Ms. Cali~~ Ms. Cali requested the Board consider allowing a business expo event for residents. The Board recommended Ms. Cali put a proposal together to be presented to them at a future date.

The issue of the tennis court reserve was discussed.

On MOTION by Mr. Brickley seconded by Mr. Tanenbaum with all in favor restricting \$5,000 tennis court reserve for tennis court maintenance was approved.

**EIGHTH ORDER OF BUSINESS**

**Supervisor's Requests**

There not being any, the next item followed.

**NINTH ORDER OF BUSINESS**

**Audience Comments**


There not being any comments at this time, the next item followed.

**TENTH ORDER OF BUSINESS**

**Adjournment**

There being no further business,

On MOTION by Mr. Brickley seconded by Mr. Tanenbaum with all in favor the meeting was adjourned.

  
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 John Ricciardi  
 Secretary

  
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 John P. Brickley  
 Chairman